IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CRIMINAL APPELLATE JURISDICTION

CRIMINAL APPLICATION NO.351 OF 2006.
WITH
CRIMINAL APPLICATION NO.350 OF 2006.

The Asstt.Commissioner of Customs
(Prev.) Mumbai. ... Applicant.

Versus.

Mohammed Kasam M.Hussein
and another. ... Respondents.

Shri D.N.Salvi for the Applicant.

Mrs.M.H.Mhatre, A.P.P. for the Respondent-State.

CORAM : ABHAY S.OKA, J.

DATED : 10th November, 2006.

P.C.:

1. Heard the Advocate appearing for the Applicant. he states that as directed by this Court by order dated 21st January 2003 all objections in the Criminal Appeal have been removed. In view of this statement and in view of the averments made in these Applications, sufficient cause is made out for condonation of delay and for restoration of the Appeal.

2. Hence the following order is passed:

i) Criminal Application No.350 of 2006 is allowed in terms of prayer clause (a).

ii) Criminal Application No.351 of 2006 is allowed in terms of prayer clause (a).

iii) Office will issue notice of restoration of the

Criminal Appeal to the Respondents. The Advocate for the Applicant will also serve private notice to the 1st Respondent and file affidavit of service on or before 22nd December 2006.

iv) Criminal Appeal to appear on board on 22nd December 2006.

Judge.